

FILED

FEB 05 2025
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ESMIN GUZMAN-EUCEDA,

Defendant.

4:25-CR-032 SEP/RHH

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Colleen Lang, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with possessing a firearm while being an alien illegally or unlawfully present in the United States, in violation of Title 18, United States Code, Section 922(g)(5)(A).
2. The facts are as follows: Homeland Security Investigations Special Agents stopped the defendant on January 29, 2025 at 9527 Bataan Street in St. Louis. The agents found out that the defendant had been arrested in July in St. Ann for unlawful possession of a firearm and controlled substances. Specifically, on July 7, 2024, the St. Ann Police Department

conducted a traffic stop of the defendant for speeding. A consent to search of the defendant's vehicle revealed the following items: 2 baggies of suspected cocaine, 1 pistol style firearm, and 1 rifle style firearm. An inquiry revealed both firearms had been reported stolen. Police officers advised the defendant of his *Miranda* Rights, and the defendant stated he owned both firearms and that he purchased the cocaine for a friend. He was unaware the firearms were stolen and stated he purchased the pistol from a co-worker a couple of months ago and he purchased the rifle from an individual a week ago. The defendant admitted knowing that due to his immigrant status, he is not allowed to legally own any firearms. The firearms were submitted to St. Louis County Police Department Crime Laboratory, where they were determined operable. (a Taurus Armas 9mm semiautomatic pistol and an IWI US Inc Z-15 5.56 semiautomatic rifle).

3. Pursuant to Title 18, United States Code, Section 3142(g),

(a) the weight of the evidence against defendant - since he was found with the firearms and admitted to their possession;

(b) defendant's history and characteristics - the defendant is a citizen of Honduras and has no legal status in this country; and

(c) the nature and seriousness of the danger to any person or the community that would be posed by defendant's release - the defendant possessed firearms and controlled substances.

The defendant is a threat to the community.

These factors warrant defendant's detention pending trial. Further since the Defendant is not a U.S. citizen and is not lawfully in the U.S., he is serious flight risk.

3. There is a serious risk that the defendant will flee.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

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/s/ Colleen Lang
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